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**Subject:** Headlines Highlights for RA's Tablet - MONDAY, May 23, 2016

# Headlines Highlights for RA's Tablet - MONDAY, May 23, 2016

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## Pittsburgh Tribune-Review

Pennsylvania's environmental protection secretary resigns

**By Jason Cato**  
**May 20, 2016**

The state's short-serving but long-besieged environmental protection secretary resigned Friday amid questions about an email he sent from a private email account to advocacy groups, though issues had existed for some time, said lawmakers and a source close to the governor's administration.

John Quigley was in Pittsburgh on Thursday, meeting with the Allegheny Conference on Community Development, and he used his Twitter account to disseminate DEP-related news as late as Friday morning.

The Tribune-Review could not reach Quigley for comment about his resignation.

Gov. Tom Wolf tapped him for the job last year.

Wolf's office did not divulge why Quigley quit, although the administration did say that it was looking into an email Quigley had sent this spring. No details were provided.

The Philadelphia Inquirer cited a source who said Quigley's email to environmental groups bemoaned the Legislature's failure to approve changes to state oil and gas drilling regulations he championed and delays in changing clean-air regulations.

Rep. John Maher, R-Upper St. Clair, recently battled publicly with Quigley over environmental rules DEP has been pushing for drilling and wells.

“The unfortunate level of discourse with Quigley is illustrated by his determined refusal to correct known typographical errors in pending regulations,” said Maher, chair of the House Environmental Resources and Energy Committee. “The upbeat message would be Quigley's departure creates an opportunity for the administration to improve its efforts for environmental protection.”

Democratic Sen. John Yudichak on Thursday said that “serious concerns” had been raised about Quigley's conduct. On Friday, the Luzerne/Carbon lawmaker applauded Wolf for quickly accepting Quigley's resignation.

“Secretary Quigley demonstrated poor judgment and a clear inability to work with legislators to advance the governor's environmental agenda,” Yudichak said in a statement.

Quigley led the DEP as acting secretary since January 2015. He received Senate confirmation in June.

Lawmakers scrutinized Quigley soon after Wolf picked him. Critics parsed statements he had made on his environmental blog while working as a consultant.

During a confirmation hearing last year, Senate Environmental Resources and Energy Committee Chairman Gene Yaw, R-Lycoming County, pressed Quigley about a statement on his blog comparing Marcellus shale money to “crack cocaine to state government” and about a desire to “turn off coal.”

Lawmakers questioned whether Quigley's work for statewide environmental advocate PennFuture would present a conflict of interest. Quigley said it would not.

Quigley served as secretary of the Department of Conservation and Natural Resources from 2009-11 under Gov. Ed Rendell.

DCNR Secretary Cindy Adams Dunn previously led PennFuture.

“My relationship with that organization is in the past,” Quigley said last year.

PennFuture declined to comment on his resignation, as did gas industry trade group Marcellus Shale Coalition.

Quigley clashed with the gas industry over regulations and the industry's perception that he wanted to limit shale development, despite his vocal support for drillers.

Patrick McDonnell will serve as DEP's acting secretary. He most recently served as the agency's director of policy, overseeing regulation and policy development processes.

Previously, McDonnell ran the State Energy Office and served as an executive policy manager for former Public Utility Commissioner Pamela A. Witmer. Prior to that, he spent 13 years with DEP.

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# Harrisburg Patriot-News

Commentary: Was ousted Pa. Secretary John Quigley too green for Pa. politics? Or just 'impertinent'?

**By Charles Thompson**

**May 21, 2016**

In the current environment, being Secretary of Pennsylvania's Department of Environmental Protection is probably one of the hardest jobs in state government.

There are energy policy wars going on that pit one of the major drivers of the state and national economies - copious natural gas deposits - squarely against unyielding scientific issues that those same economic drivers contribute to.

Then, there is a divided government in Pennsylvania that often finds the Democratic governor and the Republican-controlled legislature starting from opposing corners on many of those issues.

In that context, some said Friday, former Secretary of Environmental Protection John Quigley - who resigned his \$152,657-a-year cabinet post after a brief meeting with Gov. Tom Wolf Friday - probably never had a chance.

He was, one observer concluded, probably too green in an environment where people live in shades of gray.

To some, this showed most starkly in the consideration this winter and spring of new regulations to govern the resurgent oil and gas drilling industries - a powerful force in state politics.

Legislators, mostly Republican but some Democrats too, sought to soften the new rules as they wended through the rule-making process, and at times they thought they had Quigley's buy-in.

But when decision time came for DEP's Environmental Quality Board, shocked stakeholders said they saw Quigley lead the charge to vote down every single amendment.

He acted, said Sen. John Yudichak, a Luzerne County Democrat from anthracite coal country, like a political advocate instead of the leader of a state agency charged with finding balance in energy policy.

"Quigley was simply off the reservation, and the governor recognized that," Yudichak said Friday night as word of Quigley's resignation spread. "He wasn't able to build relationships in the General Assembly... and I applaud the governor for making a quick decision to move forward."

"There was a lot of frustration that he would say one thing (in meetings with lawmakers) and then ultimately do what he wanted to do," said Drew Crompton, chief of staff to Senate President Pro Tempore Joe Scarnati, R-Jefferson County.

"A secretary has that right... but I think at some point it causes the frustration to boil over."

Quigley, a 56-year-old former mayor of Hazleton, is not without his supporters.

Some reached Friday said they feared that Pennsylvania's best chance for strong public protections and hydraulic fracturing in the Marcellus Shale has now officially passed.

Rep. Greg Vitali, a leading voice for green causes in the General Assembly from Delaware County, hailed Quigley as a warrior with the spine to stand up to energy companies that, in his view, have had it too good for too long in Pennsylvania.

"The polluters this evening are I am sure overjoyed," Vitali said, "because John was a very strong advocate for the enforcement of environmental laws and regulations, and protecting public health and the environment."

It was Quigley's DEP, after all, that opened eyes last summer by levying an \$8.9 million fine against Range Resources, a record enforcement action against a Marcellus Shale driller for violations.

He also took credit for grabbing ahold of a department that he claimed was starved of resources under Wolf's predecessor, former Gov. Tom Corbett, and swiftly rebuilding capacity.

The new drilling regulations, supporters say, would mark a critical step in helping Pennsylvania avoid a fresh round of environmental scarring like that sustained from the coal mining boom 100 years ago.

But now, Quigley's abrupt departure means the Wolf administration, in its first year-and-a-half, has lost - for different reasons - three strong, pro-environment voices in Quigley, former Policy Secretary John Hanger and former chief of staff Katie McGinty.

(Both McGinty and Hanger served as DEP secretaries under former Gov. Ed Rendell.)

With Quigley gone, Vitali said, the administration "is stripped of high-level personnel who have both a thorough understanding of environmental issue and a deep commitment to them."

Administration officials could not immediately be reached for comment on Vitali's remarks.

But one source close to Wolf who asked not be identified in order to speak about internal discussions said Friday there were strained relationships even within the administration that caused Wolf to re-evaluate Quigley's standing.

The "straw that broke the camel's back," this source said, was an April e-mail Quigley authored after several Democratic state senators broke with the administration on a greenhouse gas emission bill.

The email - in which Quigley expressed his frustration at delays on that issue and the new drilling rules, and exhorted environmental advocacy groups to fight harder for their causes - was quickly followed by issue advertisements criticizing Yudichak and Sen. John Blake for their votes.

The senators quizzed Wolf's senior staff about a possible connection. Groups who ran the ads have since denied being directed by Quigley to run them.

But at a time when Wolf is said to be eyeing the drilling regulations as a place to build good faith with legislative Republicans before the upcoming 2016-17 budget talks, the source said, the email kerfuffle gave Wolf and his senior staff fresh reason to evaluate whether Quigley was hurting more than helping, the source said.

The governor's conclusion became self-evident Friday. Wolf tapped Patrick McDonnell, who had been DEP's policy director, as acting secretary.

With potential fights over the new drilling rules still looming, Crompton said lawmakers will be looking to see if with new leadership and tone at DEP they can "sand the edges" of the new rules.

Quigley, meanwhile, refused Friday night to respond to a PennLive reporter who stopped at his Camp Hill home.

# Charleston Gazette-Mail

By David Gutman  
May 20, 2016

Vienna residents were advised not to drink or cook with their municipal water on Thursday because five water samples, taken last year from throughout the water system, showed levels of C8 higher than a new advisory level for the chemical released earlier that day.

Vienna's water comes from eight wells in three well groupings, and all three groupings were found to have elevated levels of C8 — a chemical linked to cancer and numerous other health problems — when tests were done in May and December of 2015.

In 2009, the U.S. Environmental Protection Agency set a provisional health advisory for C8 of 400 parts per trillion in drinking water.

Recent test results all fall below that limit.

On Thursday, though, after years of delays, the EPA set a long-term advisory limit of 70 parts per trillion.

Environmental groups and local lawyers have been pleading with the EPA to take action for more than 15 years, and many say the new level is still far too lenient in the amount of C8 it says is permissible in drinking water. They're also critical that the limit is advisory only, and does not carry the force of law.

"[The] EPA must set a legally enforceable standard that will protect the millions of Americans drinking C8-contaminated water," said Paul Brooks, a Vienna doctor and leader of the group Keep Your Promises DuPont. "This guideline falls short of that goal."

Vienna's water does not meet the new guideline. Water distribution sites were set up for the community early Friday.

C8, also known as PFOA or perfluorooctonate acid, was manufactured at DuPont Co.'s Washington Works Plant, south of Parkersburg in Wood County, and has contaminated the ground water there for years.

Of six tests done on Vienna's wells in 2015, in compliance with EPA regulations, five were above the new limit, and the sixth was barely below.

The six tests found C8 ranging from 67.4 parts per trillion (just below the EPA's new level) up to 129 parts per trillion, nearly double the EPA's new level.

Other tests found levels of 76, 92, 99 and 106 parts per trillion of the chemical.

The testing was done in accordance with the EPA's Unregulated Contaminant Monitoring Rule, which requires water systems to be tested for a different list of 30 contaminants every five years.

In 2012, PFOA and PFOS, a related chemical, were added to the list.

Out of more than 36,000 PFOA tests taken from about 4,900 water systems across the country, the EPA found 354 with evidence of the chemical, including those six in Vienna.

There were several more in Parkersburg.

Recent tests in Parkersburg found levels of PFOA of 72 parts per trillion (just above the EPA's limit), as well as 13 parts per trillion and 33 parts per trillion.

Two tests in Parkersburg from 2014 found the chemical at levels of 63 and 41 parts per trillion, both below the EPA's new level.

Parkersburg is one of two cities that, according to state officials, took action Thursday to shut down parts of its water system that had contaminated water.

The other city, Martinsburg, is on the other side of West Virginia from Parkersburg and Vienna, nowhere near the Washington Works Plant.

In 2014, tests at two Martinsburg water treatment plants found levels of PFOS in excess of the EPA's new standard.

Out of 36,000 tests nationwide, only 285 found evidence of PFOS.

The Martinsburg tests found 74 parts per trillion of PFOS in February 2014, 86 parts per trillion in May 2014 and 79 parts per trillion in November 2014.

Two more recent tests found a combined total of 145 parts per trillion of PFOS and PFOA in Martinsburg's water system.

Parkersburg and Martinsburg found chemical contamination in limited wells only and were able to shut off those wells while still providing regular water service, according to Walt Ivey, director of environmental health services for the West Virginia Bureau for Public Health.

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# Charleston Gazette-Mail

Vienna residents, business owners grapple with new C8 guidelines

**By Lori Kersey**

**May 21, 2016**

VIENNA — Standing in her Vienna restaurant during the lunch-time rush Friday, Cindi Emrick had mostly questions and frustration about an advisory not to drink or cook with the city's tap water. Nothing about the water had changed overnight in the city near where DuPont Co. had, for years, been making the chemical C8, so why, she wondered, was the U.S. Environmental Protection Agency changing the allowable limits so drastically now.

"Why are we panicking? It's the same water we drank yesterday," she said.

Emrick co-owns Mr. Hot Diggity Dog, which has been open on Grand Central Avenue for 16 years and in the city for a total of 20.

On Thursday, the West Virginia Bureau for Public Health put in place an advisory for the city's water users not to drink or cook with the water. The advisory followed new EPA guidelines that say drinking water with 70 parts of C8 per trillion or less is "not expected to result in adverse health effects over a lifetime of exposure."

The chemical, which has contaminated the water in Wood County communities for years, has been linked to cancer, thyroid disease and dangerously high blood pressure in pregnant women.

The restaurant brought in bottled water for customers and alternative water for cooking, she said. Signs posted on the door and its drink machine warned patrons that it uses city water in the soda machine. For the most part, customers didn't seem to care at all about the EPA's new warning, she said.

"Every customer that's come in has got soda," Emrick said. "They're not even affected by the announcement."

The city brought in borrowed tankers full of water from the city of Parkersburg, which also was affected by the new guidelines. Water there tested above the allowable limits, too, but officials there were able to switch to wells that tested at lower levels of the chemical.

Greg Sims has lived in Vienna since 1974, but after Thursday night, he won't drink the water anymore until the C8 levels are lower, he said. He brought five cases to fill up with water at one of the city's three water stations. Sims, who cares for his mother and brother, said he is concerned about his family's health.

"I don't know who's responsible, but I just want the problem solved," he said. "We need water."

Mayor Randy Rapp said it could be six weeks to two months before Vienna has in place carbon filters that will eliminate C8 in the water. In the meantime, Rapp estimated, it will take about 70,000 gallons of water a day to service the city's 11,000 residents and the town of Boaz's 3,000 residents, who also use the city's water.

During an emergency City Council meeting Friday afternoon, city officials grappled with what to do next. The city is planning to have workers man water stations for 12 hours a day until the water tests at allowable levels of C8. That will mean high overtime costs, the mayor said. The filters themselves will cost between \$2 million and \$4 million for each of the city's three well fields, a city official told council members.

Officials plan to buy bottled water, some of which will be delivered to the elderly and disabled people. But even as the city plans to deal with the emergency, Rapp said he's still drinking the water.

"I've lived here my whole life," he said. "It's one of those things where it didn't happen overnight."

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# Pittsburgh Tribune-Review

Air Quality Collaborative gathers steam in Pittsburgh region

**By Natasha Lindstrom**  
**May 21, 2016**

Intent on protecting students from excessive exposure to exhaust fumes, the Pennsylvania Legislature passed a new air-quality law in 2009: Diesel-powered school buses may not idle for more than five minutes in a 60-minute period.

But by late 2014, a cluster of Western Pennsylvania nonprofits maintained that as many as one-third of diesel buses serving Pittsburgh schools were breaking the rule, and practically no schools had posted required idling signage.

The loosely organized coalition launched an anti-idling campaign, pressuring school officials, lawmakers and transportation vendors to take the law seriously.

Now, the nonprofit cluster says, compliance is up and signs at nearly every Pittsburgh Public Schools campus remind drivers to limit idling.

It's a small victory that exemplifies the unified power two dozen nonprofits want to harness by forming a new regional group, the Air Quality Collaborative.

"We all of a sudden have been multiplied and have more support at the table," said Michelle Naccarati-Chapkis, a member of the collaborative and executive director of Women for a Healthy Environment, an East Liberty-based nonprofit with one part-time and two full-time employees.

The Air Quality Collaborative, spawned by The Heinz Endowments, has grown strong enough to morph into its own formal body. The Heinz Endowments, which pitched in \$50,000 toward the collaborative's formation, began advertising this month for a director to run it.

"It will continue to allow the nonprofit sector to engage on these issues in a very sharp and organized way," said Andrew McElwaine, the Downtown-based foundation's vice president of sustainability and the environment. "It allows for collaboration across a wide range of nonprofits, research, advocacy, outreach and it essentially allows the organizations to be greater than the sum of the parts."

The collaborative enables the cluster of nonprofits to formalize partnerships that began five years ago and have a more powerful vehicle to carry out advocacy work.

"I think it can make a real difference in moving the clean air agenda higher up on our priority list as a region," said Myron Arnowitt, Pennsylvania director for Clean Water Action, a collaborative participant.

As an informal body, the nonprofit cluster convened four or five times a year and cooperated on events, press releases and community outreach. They shared resources and assigned roles based on a particular nonprofit's area of expertise.

"We would pool all of our resources together," Naccarati-Chapkis said.

They developed the Open Window Award, a shaming moniker announced on the first day of spring to call out industrial polluters the group believes are not doing enough to lessen negative impacts on local air quality.

Members include environmental advocates such as PennFuture and the Group Against Smog and Pollution, as well as those focused more broadly on public health and community improvement.

"Right now, it's a lot of individual local activists as far as I can tell," said Adam Rossi, vice president of Adam Solar Resources, a solar panel installation company in Bridgeville, who lauded the formation of the collaborative. "Having that regional hub, something with money and power behind it to actually be a voice, they can do an ad campaign, they can buy 20 billboards."

The collaborative will operate initially under the auspices of Community Foundation of the Alleghenies, a Johnstown-based community foundation serving Bedford, Cambria, Somerset and Indiana counties. Members will decide whether to file for independent 501(c)(3) tax status, McElwaine said.

The plan is for The Heinz Endowments to fund the full-time salaries of the collaborative's director and communications manager for two years.

The group of environmentally minded nonprofits began meeting quietly about five years ago, shortly after The Heinz Endowments created The Breathe Project, which commissions science-based research about the region's air quality and sources of persistent pollution.

High levels of soot and smog put people at risk for lung cancer, asthma attacks and other serious ailments, with the American Lung Association ranking greater Pittsburgh as among the unhealthiest in the country.

Others point to significant progress in reducing pollution across Western Pennsylvania, including county-imposed penalties that spurred tens of millions of dollars in improvements in places such as U.S. Steel's Clairton Coke Works in Clairton.

"We have seen pretty big reductions in the air pollution over the past 10 or so years," said Kevin Sunday, spokesman for Pennsylvania Chamber of Business and Industry. "We just want to be honest about the progress we've made and the cost of doing some of the more extreme policy proposals, like keeping all fossil fuel in the ground or abandoning our nuclear fleet."

Sunday added that he has no qualms about a regional group of nonprofits rallying around the air-quality cause: "The more we have dialogue about our energy and our environmental needs, the better."

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# Harrisburg Patriot-News

## DEP drops plans to pursue \$8.9 million civil penalty against gas driller

By John Beauge  
May 21, 2016

WILLIAMSPORT — A Texas natural gas driller no longer is facing a nearly \$9 million civil penalty from the state Department of Environmental Protection for alleged violations at a well in eastern Lycoming County.

The DEP on May 6 notified Range Resources-Appalachia it no longer would pursue an \$8.957 million fine for alleged violations related to the gas well on the property of Lewis Harman outside Hughesville.

Range then withdrew the appeal before the Environmental Hearing Board and that board Monday formally dismissed it.

Attempts Saturday to learn why DEP decided not to pursue the civil penalty were unsuccessful.

Range has no comment, spokesman Matt Pitzarella said, but he added the company continues "to work cooperatively with DEP to investigate and evaluate this matter."

It was one of two appeals Range had pending before the board stemming from DEP's allegations about the Harman well.

Still pending is one that accuses Range of violating the Clean Streams Law and the Oil and Gas Act.

The DEP said stray gas migration from the Harman well is the cause of high levels of methane in five water wells in Green Valley below. It wants Range to submit and implement a remedial plan for the well.

According to a status report filed April 22, the parties continue to discuss potential frameworks to resolve the appeal.

Range, headquartered in Fort Worth, claims DEP has failed to identify any violations associated with the Harman well.

Range and Harman claim naturally forming methane existed before the well was drilled in 2011.

Range has given the DEP a complete isotopic analysis that it claims proves what is in the well water did not come from the gas well.

Range has provided purification systems to five residents in Green Valley, explaining it acts first and investigates later when a situation with water develops.

The company also had challenged actions the DEP wanted taken at the same well including flaring.

It withdrew that appeal in February after the DEP told the driller it either had addressed them completely or they were rendered moot.

No gas has been extracted from the well, which is on an 8-acre site, because it is not connected to a pipeline.

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# State Impact Pennsylvania

[Dredging the Delaware has scientists worried about the impact of climate change \(Audio Link\)](#)

**By Katie Colaneri**  
**May 23, 2016**

The Delaware River is getting deeper thanks to a joint federal and state effort to dredge the shipping channel to make way for larger boats. It's the culmination of a multi-million dollar project stalled for years by doubts over economic benefits and fears of environmental damage.

In the long fought battle over dredging the Delaware, environmentalists lost. They were worried about a laundry list of potential impacts to the endangered Atlantic sturgeon, oysters, horseshoe crabs, as well as what to do with all the potentially hazardous muck dredged from the river bottom. But there is one impact nobody at the time was talking about — climate change. Six years after the first shovels started scooping up the riverbed, reporter Katie Colaneri takes a look at how the deepening project could impact the health of the river, which provides drinking water for 16 million people.

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